REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Initially, Examiner Bui is thanked for the interview that was conducted on August 13, 2007, during which these claim amendments, and the distinctions from the prior art, were discussed. At the conclusion of the interview, Examiner Bui agreed that these claim changes and argument obviated the current rejection, but indicated that she would do an update search.

Non-elected claims 11-13 and 17-20 are cancelled herein.

Claims 2-4, 6-10 and 21-23 stand rejected under 35 USC 112, second paragraph has allegedly being indefinite for allegedly omitting essential structural cooperative relationships. In response, claims 2 and 21 have been amended.

Claim 2 has been amended to emphasize that the remote device communicates both with the television and with the separate computer. Since the remote device communicates both with the television and with the separate computer, this provides a structural relationship between the elements. As amended, the claim defines more distinctly a structural relationship between the television remote, the television, and the separate computer.

Claim 21 defines a method claim by which the remote control device produces a wireless signal that controls television display programming and also controls a wireless signal to access the supplemental device on the separate computer. Since amended claim 21 defines that the remote control device is connected wirelessly to both the

computer and to the television, it also defines the relation therebetween. Moreover, since claim 21 is a method claim, no 'structural' relationship is necessary.

Claims 2-4, 6, 8, 10 and 21-23 stand rejected under 35 U.S.C. 102 as allegedly being anticipated by Humplemann. Applicant disagrees with the basis for this rejection. However, upon further reflection, it is believed that the previous rejection was based on taking a very broad interpretation of the language of the claims. Applicants amend claims 2 and 21 to obviate any such interpretation, and to make it clear that there must be "a supplemental signal that represents a link to additional information, which link can be selected by actuation of said remote to find said additional information from a database that is separate from said remote, … associated with a television program which represents program content that has been received over a program content receiving channel". This obviates the rejection over Humplemann, who shows content related to control of internet appliances over a network, and the television can show a screen allowing that control.

Claim 2 is amended to recite that the television remote controls the television, but that the television remote can access information from a supplemental signal that represents a link to additional information, where the link can be selected by actuation of the remote. The prior art system did certainly define the ability to use HTML across different items such as Internet appliances. For example, the webpage for an appliance could be displayed. The Direct TV could be a client and other devices could be a server. With the client/server relationship, of course a webpage for one device could be viewed on another device. The amended claims obviate any possible interpretation of covering viewing a webpage for one device on a display screen.

None of the prior art, even if taken individually, says anything about "a supplemental signal that represents a link to additional information, which link can be selected by actuation of said remote to find said additional information from a database that is separate from said remote, and where said additional information provides additional information about <u>a television program which represents program content that has been received over a program content receiving channel, and is being currently displayed on a display of the television</u>" (emphasis added)   Since this program has been received over a program content receiving channel, this obviates any interpretation that the appliance web page and other analogous web pages received in Humplemann, form this 'television program".

For reasons set forth in further detail herein, the prior art does not show the subject matter that is claimed, and as currently claimed, the interpretation taken by the rejection has been obviated.

With that factual backdrop, consider the scope and contents of Humpleman. Humpleman teaches a home network system that is controlled using HTML, e.g. Internet appliances. Humpleman explains that the home network is browser-based, and that HTML can be used for an interface for controlling of the devices over the network. See generally column 4 lines 17-32.

Column 5 describes that several devices can be connected over the network, and that each of the devices are controlled via an HTML page. A digital TV 102 "DTV" displays the pages that are used to control the home devices. See generally column 6 lines 1-13. The DTV behaves as the client, with the home devices that are being controlled behaving as the servers. See column 6 lines 48-50.

Again, the home devices produce HTML pages, while the DTV 102 access a client, and graphically displays the controlling command information. Each home device sends its GUI to the DTV, see column 6 lines 51-64. However, this information sent to the DTV is not, as claimed, "a television program which represents program content that has been received over a program content receiving channel". The information is information from an internet appliance, not information that represents program content that has been received over a program content receiving channel.

New claim 26 makes this distinction even more explicit, by specifying that the program content receiving channel is either a satellite channel or a cable TV channel.

Humplemann describes how a single controlling such as a TV or PC can be used for controlling a plurality of devices over the network, and suggests "a remote control device to a detector such as an IR detector on the client device". This remote would control some device that would in turn control some other device over the network. The remote might control the DTV, for example, which is connected to the network, and hence can control some other device in accordance with Humplemann's teaching. This teaching, however, would be about how to control and interact with an internet appliance on that control screen – not, as claimed, "a television program which represents program content that has been received over a program content receiving channel".

As described in previous amendments, Humplemann says, in column 8, that "a single command set may be used in a remote control for controlling plural (different) devices by communicating with the client device rendering of the GUI". However, the GUI is wholly different than that claimed. Humplemann's GUI does not interact with a

television program which represents program content that has been received over a program content receiving channel as claimed.

Claim 2 requires that the television remote "also having a command which accesses information from a supplemental signal that represents a link to additional information, which link can be selected by actuation of said remote to find said additional information from a database that is separate from said remote, and where said additional information provides additional information about a television program which represents program content that has been received over a program content receiving channel and is being currently displayed on a display of the television".

Humpleman does not disclose that the remote control actually interfaces with the HTML page that is produced by the server. Even if it does, an HTML page is not a "television program … which represents program content that has been received over a program content receiving channel".

New claim 22 makes this even more clear, by reciting stating that the television program is a program obtained from a television broadcast, further distinguishing over an HTML page of the type that is disclosed by Humpleman.

Claim 2 further requires that the remote communicates with a separate computer. There is no disclosure that the remote communicates with any separate computer. The remote disclosed in Humpleman only communicates with the that has a corresponding IR receiver to receive the signals from that specific remote, for example the DTV or a VCR. Column 9 line 39 of Humpleman explains that the remote communicates with the client device. Column 23 lines 55-66 also describes that the

remote communicates with the client device. Humpleman has no disclosure that the remote communicates with a separate computer as defined by claim 2.

Claim 2 further defines that that communication displays the information from the hyperlink on the display of the separate computer". Again, Humpleman alludes to a separate computer, but all display is done on the DTV. There is no disclosure that information from the hyperlink on the TV is displayed on a separate computer display.

Admittedly, Humpleman's technology might be modifiable to be used in a modified way to cause a display of information on the separate computer. However, this would require modification of the specific disclosure in Humpleman, since Humpleman does not specifically disclose doing this.

Claim 3 defines a command that causes the information to be displayed at a next start up of the separate computer. This is wholly undisclosed by Humpleman. The rejection states that column 13 lines 7-14 line 18 of Humpleman teaches this. However, this is completely incorrect. Column 13 line 7 describes the tree builder, which describes how "the device list file of a home network" is created. This shows the grouping of different hardware, see generally column 14 lines 6-19. It does not disclose information is displayed at a next start up.

Claim 4 requires that the information, that is the information from the hyperlink, is added to a list of Internet favorites on the separate computer. There is no disclosure of this in Humpleman. The rejection states that this is disclosed in column 13 lines 20-44. However, this section simply describes the device tree, and says not one word about favorites, and certainly does not disclose the subject matter of claim 4.

Claim 8 requires that the hyperlink includes an indication of the indication of a referring source. The rejection states that this is shown in column 12 line 60 through column 13 line 6. That cited section of Humpleman describes a broadcast message that can be sent to multiple items on the network. It discloses nothing about an indication of a referring source.

Claim 10 defines that the remote includes a separate receiver which receives hyperlinks. The rejection alleges that Humpleman "inherently" discloses this. This is nonsense, since Humpleman says precious little about the remote, in fact only refers to the remote in the specific sections referred to above. There is not one word about a receiver in the remote. Not one word. This is clearly an improper rejection.

Claim 21 defines using a remote control device at a first time to control television based programming content that is delivered by the entertainment media and using it as a second time to indicate that access is desired to information associated with the hyperlink that is associated with a television program that is being carried on the entertainment media. This is clearly patentable for reasons discussed above. Specifically, nothing in Humpleman teaches anything about a hyperlink that is accessed being associated with the television program that is carried on the entertainment medium.

Claims 22 and 26 make it more specific that the program is one that is obtained from a television broadcast.

Claim 21 should be allowable for similar reasons to those discussed above.

Claim 7 and 9 stand rejected over Humpleman in view of Kamada. Initially, each of these claims should be allowable by virtue of their dependency. Moreover, the

rejection admits that Humpleman does not disclose sending an e-mail based on the clicking or making a purchase based on the actuation.

Kamada simply teaches that Internet can be accessed over the television. In essence, this is nothing more than displaying television on an Internet screen. Kamada's Figure 4 shows that an e-mail can be sent as part of the Internet browsing experience. However, claim 7 requires the command accesses information and causes an e-mail to be sent. Note also that claim 7 requires that "said command" is the command that "accesses information from a hyperlink that is associated with a television program". Kamada certainly does enable an e-mail to be sent, but not an e-mail based on that command that "accesses information from a hyperlink that is associated with a television program" as required by claim 7. Hence, claim 7 is very different than the teaching of Humpleman in view of Kamada.

Similarly, claim 9 requires a command that can be accessed to purchase an item, but again that item must be one that is associated with the hyperlink being displayed.

Therefore, claims 7 and 9 should be allowable for these reasons.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the

amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

For all of these reasons, it is respectfully suggested that all of the claims should be in condition for allowance. A formal notice of allowance is hence respectfully requested.

Please charge any fees due in connection with this response to Deposit Account No. 50-1387.

Respectfully submitted,

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